

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ANGELICA AGENA,

Defendant.

4:23CR3038

ORDER

At the conclusion of the hearing held on July 12, 2023, I stated my conclusions on the record and my decision to recommend that the motion to suppress be denied. In accordance with that announcement,

IT IS RECOMMENDED to the Honorable John M. Gerrard, Senior United States District Judge, that the motion to suppress, (Filing No. 19), be denied in all respects.

FURTHER, IT HEREBY IS ORDERED,

- 1) The clerk shall cause a transcript of the hearing to be prepared and filed.
- 2) Counsel are given fourteen (14) days from the date the transcript is available to counsel for reading in the clerk's office in which to file objections to this recommendation. The parties are notified that failure to object may be deemed a waiver of the right to appeal the district judge's adoption of the recommendation.
- 3) A conference call to discuss setting any change of plea hearing, or the date of the jury trial and deadlines for disclosing experts as required under Rule 16, will be held on August 15, 2023 at 9:00 a.m. Counsel for all parties shall use the conferencing instructions provided by the court to participate in the call.

- 4) To afford the parties an opportunity to object to the findings and recommendation following the preparation of the hearing transcript, the time between today's date and August 15, 2023 shall be deemed excludable time in any computation of time under the requirements of the Speedy Trial Act, because although counsel have been duly diligent, additional time is needed to adequately prepare this case for trial and failing to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(1) & (h)(7). Failing to timely object to this order as provided under this court's local rules will be deemed a waiver of any right to later claim the time should not have been excluded under the Speedy Trial Act.

Dated this 13th day of July, 2023.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge